

State of California
Business, Consumer Services and Housing Agency
California Department of Housing and Community Development
DUTY STATEMENT

Division: Legal Affairs Division
Unit:
Position Number: 401-104-5778-901 (PS 2411)
Classification: Attorney
Working Title: Attorney
Location: HQ
Incumbent: Vacant
Effective Date: TBD

Department Statement: You are a valued member of the Department's team. You are expected to work cooperatively with team members and others to enable the Department to provide the highest level of service possible. Your creativity and ingenuity are encouraged. Your efforts to maintain regular attendance and treat others fairly, honestly, and with respect are critical to the success of the Department's mission.

Job Summary: Under supervision of the Assistant Chief Counsel and Deputy General Counsel for the Legal Affairs Division, and in coordination with and with guidance from lead attorney(s), the attorney in this position will serve the Housing Policy Division (HPD), the Codes and Standards Division (CSD), the Division of State Financial Assistance (DSFA), the Division of Federal Financial Assistance (DFFA), the Administrative and Management Division (AMD), and other smaller division within the department. This position requires independence and skills in legal and legislative history research, the ability to engage in extensive and lengthy document review assignments, and a high degree of thoroughness and accuracy when performing document reviews. The incumbent will primarily review documents requested pursuant to the California Public Records Act (PRA), but on occasion may be required to review other documents with the same level of legal analysis and attention to detail

% of Time	Essential Functions:
40%	Review records produced by staff in the various program areas in response to Public Records Act (PRA) requests submitted to the Department pursuant to Government Code section 6250, et seq. Determine if records are responsive, protected from reproduction by the Federal Copyright Act, or require redaction or withholding based on the various exceptions outlined in the PRA and the California Evidence Code and other applicable laws.
20%	Perform legal research using primary legal sources (e.g., judicial opinions, constitutions, statutes, regulations, etc.), secondary legal sources (e.g., treatises, law review articles, etc.), as assigned, to develop and support legal opinions for potentially withholding and/or redacting records and for developing potentially new

procedures and practices the Department may implement in the manner in responds to PRA requests and on other subjects within the Department's regulatory purview, as assigned.

- 15% Consult with and meet with program staff from the various divisions, when necessary, to address concerns raised by program staff regarding sensitive, and high-profile PRA requests, to clarify request scope and to assist staff with identifying responsive records. Consult with and meet with outside entities such as DOJ, when litigation is involved, and other state agencies and departments, when necessary, for the purpose of discussing sensitive PRA requests and requests involving multiple departments. Attend and participate in weekly PRA team roundtable meetings to discuss currently active requests, workload, sensitive issues regarding requests, concerns raised by program staff and potentially overlapping litigation or subpoenas. Attend other meetings, as necessary.
- 10% Prepares legal memoranda interpreting judicial opinions, statutes and regulations touching upon subjects related to the PRA and other matters within the Department's purview. Presents legal analyses both orally and in writing concerning subjects which may become increasingly more difficult in subject matter and complexity.
- 5% Review consulting, IT, service, and procurement contracts, on behalf of the Department for potential clerical, substantive and/or noncompliance with the California Government Code, Public Contract Code, State Contracting Manual, State Administrative Manual (SAM) and all other statutory and regulatory requirements. Redirect problematic contracts back to program staff for revisions or approve contract as legally compliant. Review may also require reference to relevant request for proposals, request for offers, California Leveraged Procurement Agreements, including, but not limited to, California Multiple Award Schedules, user instructions, federal base contracts, and any other relevant authority.
- 5% Review relocation documents submitted to the Department. Research, correspond, and evaluate all evidence to determine compliance with applicable Federal, State, and local relocation laws and render opinions as to whether relocation complies with applicable law, or identify legal deficiencies, and craft solutions to achieve uniform, fair, and equitable treatment to persons displaced in connection with government funded projects.

% of Time Marginal Functions:
5% Other work as needed or required.

Special Requirements: (Define all that apply)

Travel: Up to 20% travel with overnight stays throughout the state may be required to meet with HCD team members, attend conferences, stakeholder outreach workshops, groundbreaking and grand opening events and provide technical assistance.

Supervision Exercised: None

Conflict of Interest (COI): Form 700 reporting required.

Background Check: None

Live Scan: None

Bilingual, specify language: None

License/Certification: None

Medical Clearance: None

Other, please specify: None

Physical Requirements: The position requires the ability to sit, stand, read, communicate and work on a computer for extended periods of time.

Working Conditions: The incumbent works in an office setting. Air conditioned, high-rise building with elevator access, cubicle or office with natural and artificial lighting.

Administrative Responsibility: To be determined, as needed.

Personal Contacts: The incumbent will interact on an ongoing basis with program staff, supervisors, managers and deputy directors. The incumbent will also work directly with the Public Records Act Coordinator in the Legal Affairs Division. The incumbent may occasionally be a point of contact with requestors when situations require clarification that cannot be addressed by the Public Records Act Coordinator.

Consequence of Error: This position has responsibility to help ensure that the principles and practices of the Division are carried out and implemented in accordance with the Department's mission, policies and procedures, as well as federal, state and local laws. Lack of knowledge, inaccurate work, misunderstanding, poor judgement, or inadequate analyses could result in misleading information being provided to the Department, state and local agencies or create misleading perceptions.

Diversity, Equity, and Inclusion: All employees at HCD are expected to uphold the values of diversity, equity, and inclusion (DEI) which includes being committed to fostering an environment in which employees from a variety of backgrounds, cultures, and personal experiences feel welcomed and can thrive. Staff are expected to be respectful of differences, treat others with respect, encourage others to participate, foster innovations, and stay committed to all DEI efforts in the workplace.

Equal Employment Opportunity: All HCD employees are expected to conduct themselves in a professional manner that demonstrates respect for all employees and others they come in contact with during work hours, during work-related activities, and anytime they represent the Department.

Additionally, all HCD employees are responsible for promoting a safe and secure work environment, free from discrimination, harassment, inappropriate conduct, or retaliation.

I have read and understand the duties and requirements listed above and am able to perform these duties with or without reasonable accommodation. (If you believe reasonable accommodation may be necessary, or if unsure of a need for reasonable accommodation, inform the hiring supervisor.)

Employee Name: _____ Date: _____

Employee Signature: _____

I certify this duty statement represents an accurate description of the essential functions of this position. I have discussed the duties and have provided a copy of this duty statement to the employee named above.

Supervisor Name: _____ Date: _____

Supervisor Signature: _____

*Please return the signed original duty statement to the Human Resources Branch to be filed in the Official Personnel File.